

MESSAGE NO: 4252111 MESSAGE DATE: 09/09/1994
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-832

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/24/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SUSPENSION OF THE ANTIDUMPING INVESTIGATION ON COLOR NEGATIVE PHOTOGRAPHIC PAPER FROM JAPAN (A-588-832)

MESSAGE NO: 4252111 DATE: 09 09 1994

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 588 - 832 - -

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PERIOD COVERED: 08 24 1994 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: SUSPENSION OF THE ANTIDUMPING INVESTIGATION ON COLOR
NEGATIVE PHOTOGRAPHIC PAPER FROM JAPAN (A-588-832)

1. THE DEPARTMENT OF COMMERCE (THE DEPARTMENT) PUBLISHED IN THE FEDERAL REGISTER (AUGUST 24, 1994: 59 FR 43537) NOTICE OF ITS SUSPENSION OF THE INVESTIGATION OF COLOR NEGATIVE PHOTOGRAPHIC PAPER AND COMPONENTS THEREOF (CNPP) FROM JAPAN. IMPORTS OF CNPP FROM JAPAN ARE NOW SUBJECT TO THE TERMS AND CONDITIONS PURSUANT TO THE SUSPENSION AGREEMENT BETWEEN THE DEPARTMENT AND THE SIGNATORY COMPANIES (FUJI PHOTO FILM CO., LTD. AND THE KONICA CORPORATION).

2. FOR PURPOSES OF THE AGREEMENT, CNPP IS ALL SENSITIZED, UNEXPOSED SILVER-HALIDE COLOR NEGATIVE PHOTOGRAPHIC PAPER FROM JAPAN, WHETHER IN MASTER ROLLS, SMALLER ROLLS OR SHEETS. SUBJECT CHEMICAL COMPONENTS ARE SENSITIZED (WHETHER CHEMICALLY OR SPECTRALLY) AND UNSENSITIZED EMULSIONS, COUPLERS, AND COUPLER DISPERSIONS USED IN MAKING COLOR NEGATIVE PHOTOGRAPHIC PAPER.

UNSENSITIZED SILVER-HALIDE EMULSIONS CONSIST OF SILVER-HALIDE MICROCRYSTALS DISPERSED IN A GELATIN AND WATER MATRIX AFTER PREPARATION AND WASHING TO REMOVE SOLUBLE SALTS. UNSENSITIZED EMULSIONS ARE NATURALLY SENSITIVE TO BLUE AND ULTRAVIOLET LIGHT, BUT CANNOT EFFICIENTLY CONVERT LIGHT TO FORM A COLOR IMAGE WITHOUT FURTHER PROCESSING. SENSITIZED EMULSIONS HAVE BEEN TREATED TO INCREASE THEIR SENSITIVITY ACROSS THE ENTIRE SPECTRUM AND/OR TREATED BY THE ADDITION OF SPECTRAL SENSITIZING DYES TO MAKE THE EMULSIONS SELECTIVELY SENSITIVE TO SPECIFIC WAVELENGTHS OF LIGHT. A COUPLER DISPERSION CONSISTS OF A COUPLER DISPERSED IN A WATER-GEL SOLUTION, AND MAY CONTAIN ORGANIC SOLVENTS, CHEMICALS TO STABILIZE THE COUPLER, AND OTHER SUBSTANCES.

SPECIFICALLY EXCLUDED FROM THE AGREEMENT ARE; (1) ALL PAPER AND CHEMICAL PRODUCTS NOT USED IN THE SILVER-HALIDE PROCESS WHICH ARE USED IN OTHER IMAGING TECHNOLOGIES; (2) PRECURSORS OF SENSITIZED (WHETHER CHEMICALLY OR SPECTRALLY) AND UNSENSITIZED EMULSIONS (INCLUDING "SEED EMULSIONS" THAT ARE USED EXCLUSIVELY IN THE PROCESS OF PRODUCING UNSENSITIZED EMULSIONS AND DO NOT EXCEED 0.25 MICRONS IN GRAIN SIZE (IN CUBIC EDGE LENGTH)), COUPLERS AND COUPLER DISPERSIONS; AND (3) THOSE ITEMS ENTERED UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 3707.10.0000, 3707.90.3000, 3707.90.6000, 2933.19.3000, 2933.90.2500 AND 2934.90.2000, WHICH ARE PRECURSORS OF COUPLERS, EMULSIONS AND COUPLER DISPERSIONS (EXCEPT COUPLERS DISPERSED IN WATER-GEL SOLUTION) OR ARE COUPLERS, EMULSIONS, AND COUPLER DISPERSIONS NOT FOR ACTUAL USE IN THE COLOR NEGATIVE PHOTOGRAPHIC PAPER PRODUCTION PROCESS. PRODUCTS OUTSIDE THE

SCOPE INCLUDE TONER AND DEVELOPER CHEMICALS USED IN ELECTROSTATIC OR INDIRECT IMAGING PROCESSES (E.G., XEROGRAPHY), PRODUCTS USED IN LASER PRINTING, AND INSTANT PHOTOGRAPHY PRODUCTS.

ALSO EXCLUDED FROM THE SCOPE OF THE AGREEMENT IS PAPER THAT IS DESIGNED EXCLUSIVELY FOR USE IN GRAPHIC ARTS PROOFING EQUIPMENT AND DOES NOT EXCEED 160 MICRONS IN THICKNESS, AND EMULSIONS CLASSIFIED UNDER SUBHEADING 3707.10.0000 OF THE HTSUS THAT ARE USED IN THE MANUFACTURE OF MONOCHROME GRAPHIC ARTS FILM OR PAPER THAT ARE NOT USED IN THE PRODUCTION OF COLOR NEGATIVE PHOTOGRAPHIC PAPER.

THE COLOR NEGATIVE PHOTOGRAPHIC PAPER SUBJECT TO THE AGREEMENT ARE CLASSIFIABLE UNDER HTSUS SUBHEADINGS 3703.10.3030 AND 3703.20.3030. EMULSIONS ARE CURRENTLY CLASSIFIABLE UNDER HTSUS SUBHEADINGS 3707.10.0000 AND 3707.90.3000. COUPLERS AND COUPLER DISPERSIONS ARE CURRENTLY CLASSIFIABLE UNDER HTSUS SUBHEADINGS 3707.90.3000, 3707.90.6000, 2933.19.3000, 2933.90.2500 AND 2934.90.2000.

3. THE U.S. CUSTOMS SERVICE SHALL DISCONTINUE SUSPENSION OF LIQUIDATION OF ANY ENTRIES OF CNPP FROM JAPAN. ANY CASH DEPOSITS ON ENTRIES OF CNPP FROM JAPAN PURSUANT TO THE DEPARTMENT'S SUSPENSION OF LIQUIDATION INSTRUCTIONS ISSUED ON APRIL 6, 1994, SHALL BE REFUNDED AND ANY BONDS SHALL BE RELEASED.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES PRIOR TO THE DATE

OF THE ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTDIUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

5. IF THERE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT STEVEN PRESING AT (202) 482-0194, OFFICE OF AGREEMENTS COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

6. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party